

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

| | | |
|---------------------------|---|--------------------------|
| United States of America, |) | CRIMINAL NO. 3:08-4-CMC |
| |) | |
| v. |) | OPINION and ORDER |
| |) | |
| Cynthia Lemon, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

This matter is before the court on Defendant’s motion seeking “reinstatement of supervised release.” ECF No. 140. Defendant seeks reconsideration of the period of revocation imposed by this court on September 3, 2013.

On September 17, 2013, Defendant filed a Notice of Appeal to the Fourth Circuit Court of Appeals. ECF No. 133. Generally, the filing of a notice of appeal immediately transfers jurisdiction of all matters relating to the appeal from the district court to the court of appeals. *See In re Grand Jury Proceedings Under Seal*, 947 F.2d 1188, 1190 (4th Cir. 1991) (citations omitted).

Defendant essentially seeks to have this court reconsider the revocation sentence imposed, which is the subject of the pending appeal to the Fourth Circuit Court of Appeals. Accordingly, Defendant’s motion is denied for lack of jurisdiction.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
SENIOR UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
December 4, 2013